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Forty-ninth session
Agenda item 97

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/607)]

49/165. Violence against women migrant workers

The General Assembly,

Recalling that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Reaffirming the principles set forth in the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly by its resolution 34/180 of 18 December 1979,

Stressing that the promotion of the human rights of women constitutes an integral part of the human rights activities of the United Nations, as reaffirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, 1/

Welcoming the Programme of Action of the International Conference on Population and Development, 2/ held at Cairo from 5 to 13 September 1994, which called upon all countries to take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women,

Noting the large numbers of women from developing countries and from some economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families, as a consequence of poverty, unemployment and other socio-economic situations in their home countries, while acknowledging the primary duty of States to work for conditions that provide employment to their citizens,

Recognizing that it is the duty of sending countries to protect and promote the interests of their citizens who seek or receive employment in other countries, to provide them with appropriate training/education and to apprise them of their rights and obligations in the countries of employment,

Aware of the moral obligation of receiving or host countries to ensure the human rights and fundamental freedoms of all persons within their boundaries, including migrant workers, and in particular women migrant workers, who are doubly vulnerable because of their gender and because they are foreigners,

Noting with concern the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some of their employers in some host countries,

Stressing that acts of violence directed against women impair or nullify the enjoyment by women of their human rights and fundamental freedoms,

Convinced of the need to eliminate all forms of discrimination against women and the need to protect them from gender-based violence,

1. Expresses grave concern at the plight of women migrant workers who become victims of physical, mental and sexual harassment and abuse;

2. Recognizes with appreciation the efforts exerted by some receiving countries to alleviate the negative situation of women migrant workers;

3. Recalls, in this context, its resolution 48/104 of 20 December 1993, by which it adopted the Declaration on the Elimination of Violence against Women;

4. Welcomes measures to strengthen the human rights of women and the establishment of closer ties between the organs dealing with women's issues and rights in the United Nations, through a special programme of activities, as envisioned in the proposed revision to the medium-term plan for the period 1992-1997;

5. Invites States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and in ensuring health and social services for them, adopting specific measures to address those problems, setting up as necessary appropriate mechanisms to implement those measures, and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

6. Calls upon the countries concerned to take appropriate measures to ensure that law enforcement officials assist in guaranteeing the full protection of the rights of women migrant workers, consistent with international obligations of Member States;

7. Urges both sending and host countries to help ensure that women migrant workers are protected from unscrupulous recruitment practices, if needed by the adoption of legal measures;

8. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; 3/

9. Invites trade unions to support the realization of the rights of women migrant workers by assisting them in organizing themselves so as to enable them better to assert their rights;

10. Calls upon relevant bodies and specialized agencies of the United Nations system, intergovernmental organizations and non-governmental organizations to inform the Secretary-General of the extent of the problem and to recommend further measures to implement the purposes of the present resolution;

11. Requests treaty-monitoring bodies and calls upon non-governmental organizations concerned with violence against women to include, where appropriate, the situation of women migrant workers in their deliberations and findings and to supply relevant information to United Nations bodies and Governments;

12. Invites the Special Rapporteur of the Commission on Human Rights on violence against women to continue to include among the urgent issues pertaining to her mandate the violence perpetrated against women migrant workers;

13. Calls upon relevant intergovernmental bodies, specialized agencies and non-governmental organizations concerned, in cooperation with both the sending and the host countries, to conduct seminars and training programmes on human rights instruments, particularly those pertaining to migrant workers;

14. Invites all States to adopt, with the support of relevant non-governmental organizations, appropriate measures to provide support services to women migrant workers who have become traumatized as a consequence of violation of their rights by, inter alia, unscrupulous employers and/or recruiters, to provide resources for their physical and psychological rehabilitation and to facilitate their return to their countries of origin;

15. Invites the World Summit for Social Development, the Fourth World Conference on Women: Action for Equality, Development and Peace and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider including in their respective programmes of action the subject of the traffic in women and girls, as well as youth;

16. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution, including, in particular, on the report of the Special Rapporteur on violence against women.

94th plenary meeting
23 December 1994

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/607)]

49/166. Traffic in women and girls

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, enshrined in the Charter of the United Nations,

Reaffirming also the principles set forth in the Universal Declaration of Human Rights, 1/ the Convention on the Elimination of All Forms of Discrimination against Women, 2/ the International Covenants on Human Rights, 3/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 4/ the Convention on the Rights of the Child, 5/ and the Declaration on the Elimination of Violence against Women, 6/

Recalling that the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 7/ affirmed the

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1/ Resolution 217 A (III).

2/ Resolution 34/180, annex.

3/ Resolution 2200 A (XXI), annex.

4/ Resolution 39/46, annex.

5/ Resolution 44/25, annex.

6/ Resolution 48/104.

7/ A/CONF.157/24 (Part I), chap. III.

human rights of women and the girl child as an inalienable, integral and indivisible part of universal human rights,

Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, which are violations of the human rights of women and girl children,

Condemning the illicit and clandestine movement of persons across national and international borders, largely from developing countries and some countries with economies in transition, with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations, for the profit of recruiters, traffickers and crime syndicates, as well as other illegal activities related to trafficking, such as forced domestic labour, false marriages, clandestine employment and false adoption,

Noting the increasing number of women and girl children from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that the problem of trafficking also victimizes young boys,

Noting that the Commission on Human Rights, in its resolution 1994/45 of 4 March 1994, 8/ called for the elimination of trafficking in women,

Aware of the decision of the Commission on Crime Prevention and Criminal Justice, in its resolution 3/2 of 6 May 1994, 9/ to consider the international traffic in minors at its fourth session in the context of its discussion on the question of organized transnational crime,

Realizing the urgent need for the adoption of effective measures nationally, regionally and internationally to protect women and girl children from this nefarious traffic,

1. Expresses its grave concern over the worsening problem of trafficking, particularly the increasing syndication of the sex trade and the internationalization of the traffic in women and girl children;

2. Welcomes the Programme of Action of the International Conference on Population and Development, 10/ held at Cairo from 5 to 13 September 1994, which, inter alia, called upon all Governments to prevent all international trafficking in migrants, especially for the purpose of prostitution, and for the adoption by Governments of both receiving countries and countries of origin, of effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants, especially those who engage in any form of international traffic of women and girl children;

3. Encourages Governments, relevant bodies and specialized agencies of the United Nations system, intergovernmental organizations and non-governmental organizations to gather and share information relative to all aspects of trafficking in women and girl children to facilitate the development of anti-trafficking measures;

8/ Official Records of the Economic and Social Council, 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

9/ Ibid., Supplement No. 11 (E/1994/31), chap. I, sect. C.

10/ A/CONF.171/13, chap. I, resolution 1, annex.

4. Urges Governments to take appropriate measures to address the problem of trafficking in women and girl children and to ensure that the victims are provided with the necessary assistance, support, legal advice, protection, treatment and rehabilitation, and urges Governments to cooperate in this matter;

5. Calls upon all Governments to take appropriate measures to prevent the misuse and exploitation by traffickers of economic activities, such as the development of tourism and the export of labour;

6. Encourages Member States to consider signing and ratifying or acceding to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 11/ the Slavery Convention 12/ and all other relevant international instruments;

7. Invites Governments concerned and relevant intergovernmental and non-governmental organizations to adopt appropriate measures to create a better public awareness of the problem;

8. Draws the attention of the Special Rapporteur of the Commission on Human Rights on violence against women and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities to the problem of trafficking in women and girl children;

9. Invites the World Summit for Social Development, the Fourth World Conference on Women: Action for Equality, Development and Peace and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider including in their respective programmes of action the subject of the traffic in women and girl children;

10. Recommends that the problem of trafficking in women and girl children be given consideration within the implementation of all relevant international legal instruments and, if need be, that consideration be given to measures to strengthen them, without undermining their legal authority and integrity;

11. Requests the Secretary-General to submit to the General Assembly at its fiftieth session, under the item entitled "Advancement of women", a preliminary report on the implementation of the present resolution.

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11/ Resolution 317 (IV), annex.

12/ United Nations, Treaty Series, vol. 212, No. 2861.